

MEMORANDUM OF UNDERSTANDING on
establishing cooperation between
the European Agency for the Management of Operational Cooperation at the External Borders of
the Member States of the European Union
and
the Ministry of Foreign Affairs of the Republic of Turkey

The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex) and the Ministry of Foreign Affairs (the Ministry) of the Republic of Turkey, candidate country to the European Union,

Wishing to establish and promote the development of practical cooperation between Frontex and the Turkish authorities competent in border management,

Have agreed to cooperate as follows:

1. Exchange of relevant experiences and best practices in the field of border control (border checks, border surveillance and risk analysis);
2. Exchange of relevant strategic information and analytical products, based in general on the principle of reciprocity and in accordance with their respective legislation;

Strategic information may include the following:

- a. Activities that might be useful to improve integrated border management of the Member States of the European Union and of Turkey;
- b. Periodical statistical information related to border management;
- c. New methods challenging border security, facilitating illegal/irregular migration and cross border crime;
- d. Trends and developments in the methods used to commit cross-border crime;
- e. Observations and findings resulting from the successful application of relevant new aids and techniques;
- f. Routes and changes in routes used in particular in smuggling of migrants and illegal/irregular migration;
- g. Prevention strategies and methods for management, to define border security priorities;
- h. Threat assessments, risk analyses and situation reports.

3. Frontex and the competent Turkish authorities may explore possibilities of increased engagement in the field of risk analysis between Frontex and the relevant Turkish authorities;

4. Participation of competent Turkish authorities, through appointing an expert in the field of risk analysis, in the meetings of the mutually agreed relevant regional Risk Analysis Network coordinated by Frontex, in accordance with their respective legislation;
5. Secondment of national officers of the Turkish authorities competent in border management to Focal Points established for specific Frontex activities on the basis of a proposal by Frontex after securing agreement of the hosting EU Member State;
6. Border management related training activities as well as research and development work;
7. Exchanging information on meetings and conferences on matters of common interest;
8. Frontex, in cooperation with the competent Turkish authorities and with the relevant authorities of the EU Member States develops joint projects, including those with possible EU financial support, in order to enhance the collective capacity to fight against illegal/irregular migration;
9. Frontex and the competent Turkish authorities aim to promote improvement of the technical and organisational cooperation between the competent border management authorities of the EU Member States and of Turkey;
10. Frontex and the competent Turkish authorities may explore possibilities to develop cooperation in the field of Frontex coordinated joint return activities in accordance with their respective legislation as well as promote the active facilitation and participation of the competent Turkish authorities in such activities;
11. Frontex and the competent Turkish authorities may explore possibilities of further development of cooperation in other Frontex activities, including the development of debriefing and language analysis techniques;
12. The participation of the competent Turkish authorities in Frontex coordinated activities may be financed by Frontex on a case-by-case basis under the general terms and conditions applied by Frontex. Specific terms and conditions may be agreed in the future in the form of a separate financing framework agreement.

General references:

13. The Executive Director of Frontex and the Director General for Consular Affairs of the Ministry establish and maintain structured dialogue on the coordination of the implementation of the present₂ Memorandum of Understanding (MoU);

14. Frontex and the competent Turkish authorities appoint authorised contact points from the relevant units to deal with the specific areas of cooperation referred to above;

15. In the implementation of the intended cooperation, Frontex and the competent Turkish authorities shall, in their respective capacities, afford full respect for human rights;

16. The present MoU is concluded with a view to enhancing and developing cooperation between Frontex and the competent Turkish authorities and shall not be considered as a document having legal effect under international law and the practical implementation of its contents shall not be regarded as fulfillment of international obligations by the European Union and its institutions and Turkey;

17. The present MoU shall take effect as of the day following its signature;

18. Frontex and the Ministry may amend the present MoU based on their mutual consent. Amendments will take effect according to the aforementioned procedure;

19. In case of disagreement in the interpretation and implementation of the present MoU, Frontex and the Ministry will endeavour to resolve the matter through negotiations. If the disagreement cannot be solved, Frontex and the Ministry agree not to apply the disagreed article(s), or according to the applicable provisions of the present MoU, to amend or terminate the MoU;

20. The present MoU shall continue to be in effect unless terminated upon written notification of 90 days' minimum notice either by Frontex or by the Ministry.

Done in Warsaw, on 28 May 2012, in two original copies, in the English language.

**For the European Agency for the
Management of Operational Cooperation
at the External Borders of the Member
States of the European Union**

[signed]

**Ilkka Laitinen
Executive Director**

**For the Ministry of Foreign Affairs of the Republic of
Turkey**

[signed]

**Sakir Fakili
Ambassador
Director General for Consular Affairs**